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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO
09/937,015	01/29/2002	Heiki Faulhammer	ATOCM 228	3075
23599	7590 03/13/2003			
MILLEN, WHITE, ZELANO & BRANIGAN, P.C. 2200 CLARENDON BLVD. SUITE 1400			EXAMINER	
			SAEED, KAMAL A	
ARLINGTON	N, VA 22201			
			ART UNIT	PAPER NUMBER
			1626	
			DATE MAILED: 03/13/2003	

Please find below and/or attached an Office communication concerning this application or proceeding.

•		Application No.	Applicant(s)
•	_	09/937,015	FAULHAMMER ET AL.
	Office Action Summary	Examiner	Art Unit
		Kamal A Saeed	1626
Period fo	The MAILING DATE of this communication app or Reply	pears on the cover sheet	with the correspondence address
THE - External control	ORTENED STATUTORY PERIOD FOR REPL' MAILING DATE OF THIS COMMUNICATION. nsions of time may be available under the provisions of 37 CFR 1.1 SIX (6) MONTHS from the mailing date of this communication. o period for reply specified above is less than thirty (30) days, a reply period for reply is specified above, the maximum statutory period or the toreply within the set or extended period for reply will, by statute reply received by the Office later than three months after the mailing ed patent term adjustment. See 37 CFR 1.704(b).	36(a). In no event, however, may y within the statutory minimum of will apply and will expire SIX (6) No. cause the application to become	a reply be timely filed thirty (30) days will be considered timely. IONTHS from the mailing date of this communication. ABANDONED (35 U.S.C. § 133).
Status			
1)	Responsive to communication(s) filed on		
2a)□	,—	is action is non-final.	
3)□	Since this application is in condition for allowated closed in accordance with the practice under ion of Claims		
· _			
4)[Claim(s) <u>1-13</u> is/are pending in the application 4a) Of the above claim(s) is/are withdray		
5)[]	Claim(s) is/are allowed.	wir irom consideration.	
	Claim(s) is/are rejected.		
· · ·	Claim(s) is/are objected to.		
·	Claim(s) <u>1-13</u> are subject to restriction and/or e	election requirement	
-	ion Papers	ciconon requirement.	
9)	The specification is objected to by the Examine	r.	
10)	The drawing(s) filed on is/are: a)□ accep	oted or b) objected to b	y the Examiner.
	Applicant may not request that any objection to the	e drawing(s) be held in ab	eyance. See 37 CFR 1.85(a).
11)	The proposed drawing correction filed on	_ is: a)☐ approved b)☐	disapproved by the Examiner.
	If approved, corrected drawings are required in rep	oly to this Office action.	
12)	The oath or declaration is objected to by the Ex	aminer.	
Priority ι	ınder 35 U.S.C. §§ 119 and 120		
13)[Acknowledgment is made of a claim for foreign	n priority under 35 U.S.C	C. § 119(a)-(d) or (f).
a)	☐ All b)☐ Some * c)☐ None of:		
	1. Certified copies of the priority documents	s have been received.	
	2. Certified copies of the priority documents	s have been received in	Application No
	3. Copies of the certified copies of the prior application from the International But	reau (PCT Rule 17.2(a)).
	See the attached detailed Office action for a list	•	
	acknowledgment is made of a claim for domestic	•	
) \square The translation of the foreign language pro Acknowledgment is made of a claim for domesti		
Attachmen	t(s)		
2) 🔲 Notic	e of References Cited (PTO-892) e of Draftsperson's Patent Drawing Review (PTO-948) nation Disclosure Statement(s) (PTO-1449) Paper No(s)	5) Notice	w Summary (PTO-413) Paper No(s) of Informal Patent Application (PTO-152)

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DETAILED ACTION

Claims 1-13 are currently pending in this application.

Election/Restrictions

Restriction is required under 35 U.S.C. 121 and 372.

Lack of Unity Requirement

Claims 1-13 are drawn to more than one inventive concept (as defined by PCT Rule 13), and accordingly, a restriction is required according to the provision of PCT Rule 13.2.

PCT Rule 13.2 states that the international application shall related to one invention only or to a group of inventions so linked as to form a single general inventive concept (requirement of unity of invention).

PCT Rule 13.2 states that unity of invention referred to in Rule 13.1 shall be fulfilled only when there is a technical relationship among those inventions involving one or more of the same or corresponding special technical features.

Annex B, Part 1(b), provides that "special technical features" mean those technical features which, as a whole, define a contribution over the prior art.

Annex B, Part 1 (e), provides combinations of different categories of claims and states:

"The method for determining unity of invention under Rule 13 shall be construed as permitting, in particular, the inclusion of any one of the following combinations of claims of different categories in the same international application:

- (i) in addition to an independent claim for a given product, an independent claim for a process specially adapted for the manufacture of the said product, and an independent claim for a use of the said product, or
- (ii) in addition to an independent claim for a given process, an independent claim for an apparatus or means specifically designed for carrying out the said process, or
- (iii) in addition to an independent claim for a given product, an independent claim for a process specially adapted for the manufacture of the said product, and an independent claim for an apparatus or means specifically designed for carrying out the said process,..."

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This application contains the following inventions or groups of inventions, which are not so linked as to form a single general inventive concept under PCT Rule 13.1.

In accordance with 37 CFR 1.499, applicant is required, in response to this action, to elect a single invention to which the claims must be restricted.

- I. Claims 1-4, are drawn to a process of a process for the anionic polymerization of lactams, classified in class 548 and several subclasses.
- II. Claims 5-13 are drawn to a second process for the anionic polymerization of lactams classified in class 548 and several subclasses.

This application contains claims directed to more than one method of preparation. These methods of preparation are deemed to lack unity of invention because they are not so linked as to form a single general inventive concept under PCT Rule 13.1.

Inventions Groups I and II are unrelated processes because of their diverse steps and reaction conditions and each group is capable of supporting its own patent.

The structural moiety common to groups I-II, lactam which is known in the art and therefore, cannot be said the special which makes a contribution over the prior art. All other process steps differ from one another. Thus, these claims lack the corresponding special technical feature(s) necessary to link them together to fulfill the Unity of invention requirement.

The inventions of Group I-II are distinct, each from the other, because they differ in structure and/or element so as to be patentably distinct and a prior art reference anticipating but one of the groups would not render obvious the other groups under 35 U.S.C. 103.

Applicant is required to a elect a single process of an ionic polymerization of lactams.

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A telephone call was made to I. William Millen on 02/14/03 to request an oral election to the above restriction requirement, but did not result in an election being made.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement is traversed (37 CFR 1.143). Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a petition under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Telephone Inquiry

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kamal Saeed, Ph.D., whose telephone number is (703) 308-4592. The examiner can normally be reached on Monday-Thursday from 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Joseph K. McKane, can be reached at (703) 308-4537. The Unofficial fax phone number for this Group is (703) 308-7921. The Official fax phone numbers for this Group are (703) 308-4556 or 305-3592.

When filing a FAX in Technology Center 1600, please indicate in the Header (upper right) "Official" for papers that are to be entered into the file, and "Unofficial" for draft documents and other communications with the PTO that are not for entry into the file of the application. This will expedite processing of your papers.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be

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addressed to [joseph.mckane@uspto.gov]. All Internet e-mail communications will be made of

record in the application file. PTO employees will not communicate with applicant via Internet

e-mail where sensitive data will be exchanged or where there exists a possibility that sensitive

data could be identified unless there is of record an express waiver of the confidentiality

requirements under 35 U.S.C. 122 by the applicant. See the Interim Internet Usage Policy

published by the Patent and Trademark Office Official Gazette on February 25, 1997 at 1195 OG

89.

Any inquiry of a general nature or relating to the status of this application should be

directed to the Group receptionist, whose telephone number is (703) 308-1235.

Kamal Saeed, Ph.D. Patent Examiner

Art Unit 1626, Group 1620

Joseph K. McKane

Supervisory Patent Examiner Art Unit 1626, Group 1620